GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department – Disciplinary action initiated against Sri Ch.George, ACF/Sub DFO (Retd), formerly Paderu Division – Article of charges issued - Final notice along with a copy of findings of the Inquiry Officer Communicated – Further defence received - Provisional decision to impose a penalty of 2% cut in pension for a period of (1) one year - Show-cause Notice issued – Further defence statement called for – Concurrence of the APPSC obtained – Final Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 32 Dated: 03-12-2020
Read the following:

1. From the Prl.CCF Lr.Rc.No.26232/2010/A&DC-1, dated 02.11.2017.
2. Govt.Memo.No.3195/Sec.IV/A1/2015, dt. 21.02.2018.
3. From the PCCF, Lr. Rc.No.EFS02-19021/80/2018-ADC-PCCF (26232/2010/A&DC-2), dt.15.07.2019.
4. Govt. Lr. No.EFS01-FRST0FVIG/68/2019-SEC-IV, dated:03.12.2019
5. From the APPSC, Vijayawada Letter No.596/DC&C/2019, Dated: 06.11.2020.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests, A.P., Guntur has informed that an Article of Charge was issued against Sri Ch. George, Sub-DFO/ACF(Retd.) by the Principal Chief Conservator of Forests vide Rc.No.26232/2010/P3 dt.25.04.2011, under Rule 20 of APCS (CCA) Rules 1991 on the following count:

Article:"That he has exhibited gross neglect of duty by Purchasing vegetable seed under RAP Scheme without calling for tenders. He obtained fake quotations, amounts were drawn without bills and payments were made to the firms which are not approved for purchase causing loss to the Government".

2. The Charged Officer acknowledged the Article of Charge on 14.07.2011 and submitted his explanation on 09.08.2011. Not satisfied with his explanation, the Principal Chief Conservator of Forests appointed the Conservator of Forests, Visakapatnam as Inquiry Officer and the Divisional Forest Officer, Paderu as Presenting Officer vide PCCF Proc.No.26232/2010/P3(i&ii), dt.17.11.2011 for conducting the regular inquiry.

3. The Inquiry Officer submitted his findings vide Conservator of Forests, Visakhapatnam Rc.No.648/2011/M8, dt.02.04.2015 in which he stated that:

"In APCFM Project all the works were executed through VSS and payments were also made through VSS only by way of their resolution. Actually the calling of tenders or approval of quotations for non-FSR items is the Job of DFO, in Forest Department. Based on the VSS resolution, quotations submitted by Forest Range Officer and rates approved by Divisional Forest Officer in the DSOs, the Sub-Divisional Forest Officer has sanctioned 16 estimates to purchase vegetable seeds to carryout seasonal operations timely in good faith without any malafied intention for the benefits of tribal VSS members. There is no financial loss as the rates sanctioned are less than Horticulture Department rates. No failure of germination is reported. Hence, the Article of Charge levelled against Sri Ch. George, Sub-Divisional Forest Officer/Asst. Conservator of Forests (Retd), Araku of Paderu Division is **Not Proved**".

P.T.O.

4. The findings of the Inquiry Officer had been examined with reference to the records and the Prl. Chief Conservator of Forests (HoFF) decided to disagree with the findings of the Inquiry Officer. Accordingly, the said findings along with the following disagreement factors were communicated to the Charged Officer vide PCCF Ref.No.26232/2010/Vig-1, dt.03.06.2015 through Final Notice and called for further defence statement.

Disagreement factors

The findings of the Inquiry Officer (i.e., CF, Visakhapatnam) received in RC.No.648/2011/M8, dt.02.04.2015 have been examined and it is observed that the inquiry and cross examination with PW-1 and presenting officer revealed that the charged officer has not followed the prescribed procedure for obtaining proper rates before sanctioning estimates. It is a non-FSR item and hence obtaining quotations from the approved firms and obtaining the rate approval from the competent authority before sanctioning estimates is essential. But the charged officer has failed to follow said procedure. Even in final observations of the Inquiry Officer, he concluded that:

1. Hence the Charged Officer has sanctioned the estimates without following the procedure and adopted a method of local purchase for the huge quantity.
2. As per the examination, the CO has not followed procedure in sanctioning the estimates for non-FSR items and he has not verified genuinity of the quotation.
3. The Charged Officer has agreed that he has not called for any tender.
4. It is clear evident that the Charged Officer has not followed the prescribed procedure for obtaining proper rates before sanctioning estimates.

It is a non-FSR item and hence obtaining quotation for the approval & obtain rates approval from competent authority, before sanction of the estimates is necessary, but the charged officer has failed to follow the procedure.

5. The Charged Officer has submitted his further defence statement on 04.07.2016. The Principal Chief Conservator of Forests (HoFF) has stated that on verification, it is noticed that the retired Charged Officer has not put-forth any valid / fresh points.

6. The Charged Officer retired from Government service on attaining the age of superannuation on 30.11.2009 and the disciplinary proceedings are continued under Rule 9 of AP Revised Pension Rules 1980.

7. After careful examination of the matter, with reference to the findings of the Inquiry Officer, the remarks of the Prl. Chief Conservator of Forests, and material made available, Government have provisionally decided to impose a penalty of 2% cut in pension for a period of one year on the charged officer, Sri Ch. George, ACF/Sub-DFO(Retd) formerly Paderu Division, under rule 9 of A.P. Revised Pension Rules, 1980.

8. Accordingly a Show-cause Notice has been issued by the Government to the retired Charged Officer vide reference 2nd read above. In the ref.3rd read above, the Principal Chief Conservator of Forests(HoFF) has informed that, the Chief Conservator of Forests, Visakhapatnam has submitted the copy of dated acknowledgement of the Charged Officer to the show cause notice. He has also informed that no further defence statement has been received from the Charged Officer.

P.T.O.

9. The Andhra Pradesh Public Service Commission, vide its letter 5th read above, has accorded its concurrence to the provisional decision of the Government to impose 2% cut in pension for a period of one year against the retired Charged Officer.

10. Government, after careful examination of the matter, hereby order to impose a penalty of 2% (two percent) cut in pension for a period of (1) one year against the retired Charged Officer Sri Ch. George, ACF/Sub DFO (Retd), under Rule 9 of A.P. Revised Pension Rules, 1980.

11. The Principal Chief Conservator of Forests (HoFF), A.P. Guntur shall take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Principal Chief Conservator of Forests & HoFF, A.P., Guntur
(with original record Rc. No. 648/2011/M8, Volumes I,II,III & IV)
The Individual (through the Principal Chief Conservator of Forests).
Copy to:
The Accountant General (A&E) A.P., Hyderabad.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
(with ref. to Lr.No.596 /DC&C/2019, dt.06.11.2020).
The PS to M (EFS&T).
The PS to Special Chief Secretary to Govt., EFS&T Dept.
Sf./Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER